

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
First Regular Session  
2007

# **HOUSE BILL 2773**

AN ACT

AMENDING SECTION 36-2981, ARIZONA REVISED STATUTES; RELATING TO THE CHILDREN'S HEALTH INSURANCE PROGRAM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 36-2981, Arizona Revised Statutes, is amended to  
3 read:

4           36-2981. Definitions

5       In this article, unless the context otherwise requires:

6       1. "Administration" means the Arizona health care cost containment  
7 system administration.

8       2. "Contractor" means a health plan that contracts with the  
9 administration for the provision of hospitalization and medical care to  
10 members according to the provisions of this article or a qualifying plan.

11       3. "Director" means the director of the administration.

12       4. "Federal poverty level" means the federal poverty level guidelines  
13 published annually by the United States department of health and human  
14 services.

15       5. "Health plan" means an entity that contracts with the  
16 administration for services provided pursuant to article 1 of this chapter.

17       6. "Member" means a person who is eligible for and enrolled in the  
18 program, ~~who is under nineteen years of age and~~ whose gross household income  
19 IS AT OR BELOW TWO HUNDRED PER CENT OF THE FEDERAL POVERTY LEVEL AND WHO  
20 meets EITHER OF the following requirements:

21           (a) ~~Beginning on November 1, 1998 through September 30, 1999, has~~  
22 ~~income at or below one hundred fifty per cent of the federal poverty level.~~

23           (b) ~~Beginning on October 1, 1999 and for each fiscal year thereafter,~~  
24 ~~has income at or below two hundred per cent of the federal poverty level.~~

25           (a) IS UNDER NINETEEN YEARS OF AGE.

26           (b) SUBJECT TO LEGISLATIVE APPROPRIATION, IS A PREGNANT WOMAN FOR  
27 PURPOSES OF PRENATAL CARE.

28       7. "Noncontracting provider" means an entity that provides hospital or  
29 medical care but does not have a contract or subcontract with the  
30 administration.

31       8. "Physician" means a person licensed pursuant to title 32, chapter  
32 13 or 17.

33       9. "Prepaid capitated" means a method of payment by which a contractor  
34 delivers health care services for the duration of a contract to a specified  
35 number of members based on a fixed rate per member, per month without regard  
36 to the number of members who receive care or the amount of health care  
37 services provided to a member.

38       10. "Primary care physician" means a physician who is a family  
39 practitioner, general practitioner, pediatrician, general internist,  
40 obstetrician or gynecologist.

41       11. "Primary care practitioner" means a nurse practitioner who is  
42 certified pursuant to title 32, chapter 15 or a physician assistant who is  
43 licensed pursuant to title 32, chapter 25 and who is acting within the  
44 respective scope of practice of those chapters.

45       12. "Program" means the children's health insurance program.

1       13. "Qualifying plan" means a contractor that contracts with the state  
2 pursuant to section 38-651 to provide health and accident insurance for state  
3 employees and that provides services to members pursuant to section 36-2989,  
4 subsection A.

5       14. "Special health care district" means a special health care district  
6 organized pursuant to title 48, chapter 31.

7       15. "Tribal facility" means a facility that is operated by an Indian  
8 tribe and that is authorized to provide services pursuant to Public Law  
9 93-638, as amended.